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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,712	05/01/2001	John Todd Bergman	1420.002US1	3823

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EXAMINER

PREVIL, DANIEL

ART UNIT PAPER NUMBER

2632

DATE MAILED: 03/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,712

Applicant(s)

BERGMAN ET AL.

Examiner

Daniel Previl

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 8-19, 24-26, are rejected under 35 U.S.C. 102(b) as being anticipated by McClure (US 5,923,731).

Regarding claim 8, McClure teaches a phone port to receive configuration data (phone jack 11 connects a phone directly to the unit, activates a programmed sequence of call out and message forwarding events) (col. 4, lines 8-53); a transmitter to send the configuration data via a wireless signal to a control panel (the present arrangement allows for 13 RF channels activates a programmed sequence of call out and message forwarding events at the control unit 12) (col. 4, lines 10-38).

Regarding claim 9, McClure teaches a memory store the configuration information for communication to the control panel (col. 6, lines 58-63).

Regarding claim 10, McClure teaches a control panel while the phone port is on hook (col. 7, line 61).

Regarding claim 11, McClure teaches a control panel while the phone port is off hook (col. 5, line 30).

Regarding claim 12, McClure teaches the phone port is to call a designated device to report success or failure of transmission of the configuration data (col. 7, lines 17-65).

Regarding claim 13, McClure teaches a phone port to receive tones from a telephone (this circuit allows for the reception of DTMF tones from the telephone line via a handset through jack J4 31) (col. 5, lines 61-65); a transmitter to relay the tones to a control panel via a wireless signal (DTMF transceivers are converted tones for transmission to the alarm company) (col. 5, lines 60-67, col. 6, lines 1-15).

Regarding claim 14, McClure teaches the tones are DTMF tones (col. 5, line 61).

Regarding claim 15, McClure teaches the telephone and the telephone are on the same premises (fig. 1).

Regarding claim 16, McClure teaches the telephone is off-premises from the phone-interface device (col. 3, lines 50-54).

Regarding claim 17, McClure teaches a phone port to receive tones from a telephone (this circuit allows for the reception of DTMF tones from the telephone line via a handset through jack J4 31) (col. 5, lines 61-65); a controller to translate the tones into a command (DTMF tones are used to program the various feature of the control unit) (col. 5, lines 64-65); a transmitter to send the command to a control panel via a wireless signal (DTMF transceivers are

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converted tones for transmission to the alarm company) (col. 5, lines 60-67, col. 6, lines 1-15).

Regarding claim 18, McClure teaches a sensor to sense a trouble condition at the phone interface device (a detector detects circumstances such as cut telephone lines and off-hook condition) (col. 2, lines 51-55); a transmitter to transmit wireless signals containing data regarding the trouble condition to a control panel (the microprocessor receives the input commands, a panic button on the phone, detected on site by a fire or burglar alarm) (col. 2, lines 55-68; col. 3, lines 1-46).

Regarding claim 19, McClure teaches the trouble condition comprises phone line removal (cut telephone lines) (col. 2, line 52).

Regarding claims 24-25, McClure teaches a signal from a control panel has been received and when a signal has not been received within a period of time, the controller is to transmit an error message to a monitoring station (the audio and Led panic alarm will start after a 16 second time delay for the pendant and a 30 second delay for a telephone signal. The control unit will start the dial out process. It will test for line dead, line busy. If any of these tests fail a dial out error is signaled. After termination the unit waits for 2 seconds, the unit will retry until the retry has been exceeded then go the dial out error alarm) (col. 7, lines 22-30 and lines 56-65).

Regarding claim 26, McClure teaches error message is transmitted via a display (LED) (col. 7, lines 22-30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman (US 5,686,896) in view of McClure (US 5,923,731).

2. Regarding claims 1, Bergman discloses a receiver to receive a wireless signal from a control panel, wherein the wireless signal encodes information regarding a sensor event (the system controller 14 has an RF receiver 52, to receive messages transmitted via modulated radio frequencies from a wireless sensor 16, smoke sensor 18 which are physically, electrically connected to the system controller 14) (fig. 2; col. 4, lines 4-17).

Bergman discloses every feature of the claimed invention but fails to explicitly disclose a phone port to connect to a telephone line, wherein the phone port is further to receive configuration data from monitoring station.

However, McClure discloses a phone port to connect to a telephone line, wherein the phone port is further to receive configuration data from monitoring station (phone jack 11 on the main control unit 12 connects to a phone directly to the unit) (col. 4, lines 8-53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of McClure in Bergman. Doing so would alert means for notification of a central station quickly or efficiently in case a fire or any event that could endanger people safety.

Regarding claims 2, 3, 6, the above combination discloses all the limitations in claim 1 and McClure further discloses a memory to contain data received from the control panel (main controller unit 12) (col. 6, lines 58-62).

Regarding claims 4, 7, the above combination discloses all the limitations in claim 1 and McClure further discloses the control panel is too slow to accommodate a second data rate between the phone interface device and the monitoring station (in dial out alarm, main control unit 12 will disconnect all down line phones long enough to stabilize the dial tone before initializing the dial out procedure which begins the dial out with the data from the non-volatile memory. After dial out, the main control unit takes 40 second time out) (col. 7, lines 22-44).

Regarding claim 5, the above combination discloses all the limitations in claim 1 and McClure further discloses the controller is to buffer the data in the memory in anticipation of the memory station requesting the data (col. 6, lines 58-67).

4. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClure (US 5,923,731) in view of Davis (US 5,889,855).

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5. Regarding claims 20, 21, McClure teaches all the limitations in claim 8 but fails to explicitly teach a cover removal and removal from mounting.

However, Davis teaches a cover removal and removal from mounting (col. 1, lines 26-35).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Davis in McClure. Doing so would prevent accurately a telephone line from being cut or severed for the safety purpose.

Regarding claim 22, 23, McClure discloses battery, power supply (col. 8, lines 54-67).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pildner (US 6,226,357) discloses a security system alarm panel.

Williamson (US 6,081,546) discloses a telephone line seizure circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is 703 305-1028. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

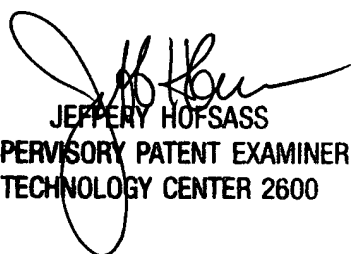
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on 305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-4700.

Daniel Previl
Examiner
Art Unit 2632

DP
March 15, 2002


JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600